



South Carolina House of Representatives

# Legislative Update

ROBERT W. HARRELL, JR., Speaker of the House

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## **PREFILED BILLS INTRODUCED**

**OFFICE OF RESEARCH AND CONSTITUENT SERVICES  
Room 212, Blatt Building, P.O. Box 11867, Columbia, S.C. 29211, (803) 734-3230**

# IN THE HOUSE

## AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

### **H.3032 HUNTER'S EDUCATION PROGRAM Rep. G. M. Smith**

Current law requires the successful completion of the Hunter's Education Program prior to receiving a South Carolina Hunting License. This bill outlines that this provision does not apply to nonresident active duty, honorably discharged or retired members of the United States Armed Services who can demonstrate to the Department of Natural Resources that they successfully completed rifle marksmanship during their military career.

### **H.3047 GIGGING FOR FLOUNDER Rep. Hardwick**

The bill adds that it is unlawful for a person to gig for flounder in the salt waters during daylight hours. For this provision, "daylight hours" means the period of time between official sunrise and official sunset. Persons violating the provisions of this section, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

### **H.3097 DRYCLEANING FACILITY RESTORATION TRUST FUND Rep. Bales**

This bill deletes obsolete provisions, reorganize provisions and make many technical corrections.

## EDUCATION AND PUBLIC WORKS

### **H.3011 PURPLE HEART DAY IN SOUTH CAROLINA Rep. Whitmire**

This legislation moves the designation of Purple Heart Day in South Carolina from the third Saturday in February to the seventh day of August.

### **H.3013 FREE PUBLIC TRANSPORTATION FOR CERTAIN QUALIFYING VETERANS Rep. Clyburn**

This legislation requires regional transportation authorities to develop and implement programs within their service areas that make public transportation available at no charge for certain qualifying veterans.

### **H.3016 COOPERATIVE DUAL CREDIT HIGH SCHOOL PROGRAMS Rep. Bowen**

This legislation establishes cooperative dual credit high school programs which will enable students to concurrently obtain a high school diploma and begin or complete an associate degree program, master a certificate or vocational program, or earn up to two years of college credit within four years. The legislation provides for the manner in which these programs shall be funded, and it further provides for their pilot testing for a three year period prior to their conversion statewide as determined by the General Assembly.

**H.3033 SPECIAL LICENSE PLATES FOR RECIPIENTS OF THE  
DISTINGUISHED FLYING CROSS Rep. G. M. Smith**

This legislation authorizes the Department of Motor Vehicles to issue special license plates to recipients of the Distinguished Flying Cross.

**H.3034 MOTOR VEHICLE PROOF OF INSURANCE AND FINANCIAL  
RESPONSIBILITY REQUIREMENTS Rep. Rutherford**

Relating to a motor vehicle owner's responsibility to maintain proof of insurance and financial responsibility in his motor vehicle, this legislation deletes the requirement that the owner of a motor vehicle maintain proof of financial responsibility in his motor vehicle. The legislation allows proof of financial responsibility to be displayed on an electronic device.

**H.3038 MOTOR VEHICLE SUNSCREEN DEVICES Rep. Rutherford**

The bill revises the permitted level of light transmission for sunscreening devices installed on the windshield, side windows and rear window of a motor vehicle.

**H.3048 HANDICAPPED PARKING AND ISSUANCE OF SPECIAL LICENSE  
PLATES TO DISABLED WARTIME VETERANS Rep. Gilliard**

This legislation provides free parking for handicapped persons at parking garages operated by governmental entities. Relating to the issuance of special license plates to disabled wartime veterans, this legislation decreases the disability rating a veteran must possess in order to qualify to obtain this license plate. The legislation provides that only a totally and permanently disabled veteran license plate may display a handicapped symbol and that a person who qualifies for a license plate that contains the handicapped symbol does not have to apply for a handicapped parking placard.

**H.3061 STUDENT ATHLETES AND CONCUSSIONS Rep. McCoy**

This legislation requires the Department of Education to develop and distribute model policies concerning the nature and risk of concussions sustained by student athletes. The legislation requires each local school district to develop its own policy, and it requires the review of the policy by student athletes and their parents or guardians. The legislation requires the removal from play and medical evaluation of a student athlete believed to have sustained a concussion during play. The legislation allows for the evaluation to be undertaken by a volunteer health care provider. In addition, local school districts may provide the guidelines established by the department to organizations sponsoring athletic activity for student athletes on school property; local school districts are not required to enforce compliance with these policies.

**H.3082 INTERSCHOLASTIC ATHLETIC ACTIVITIES Rep. Merrill**

Effective July 1, 2013, this legislation provides that the Superintendent of Education has responsibility for and jurisdiction over all interscholastic athletic activities of public high schools. The Superintendent may delegate a portion of these responsibilities to local school boards of trustees. The Superintendent shall appoint a diverse advisory board of school superintendents, athletic directors, and coaches, including women and minority members, to advise him in regard to his duties and responsibilities. The legislation further provides that a public high school may not join or affiliate with any jurisdictional body or entity that operates outside the authority of the Superintendent.

**H.3084 STUDENT BULLYING ADVISORY COUNCIL Rep. Clyburn**

This legislation requires the governing body of each school district to create a Student

Bullying Advisory Council to be made up of students and parents selected by the governing body to advise it on matters relating to student on student bullying problems and on such other matters as the governing body shall determine.

**H.3086 IN-STATE TUITION RATE ELIGIBILITY FOR VETERANS AND THEIR DEPENDENTS Rep. Daning**

This legislation provides that veterans who have been honorably discharged, and their dependents, who are not otherwise eligible for in-state tuition rates, are entitled to receive in-state tuition rates at state institutions provided that within two years of the date of the veterans' discharge, they enroll at a state institution and have evidenced an intent to establish domicile in South Carolina. These individuals are eligible for in-state tuition rates as long as they remain continuously enrolled at a state institution or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution, subject to certain provisions concerning such transfers.

**H.3087 CHARTER SCHOOLS LOCATED ON A FEDERAL MILITARY INSTALLATION OR BASE Rep. Merrill**

This legislation allows a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school, as its principal location, to give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed 50 percent of the total enrollment of the charter school.

**H.3088 PROHIBITION ON SCHOOL DISTRICTS PAYING MEMBERSHIP DUES OR FEES TO CERTAIN ASSOCIATIONS OR ORGANIZATIONS Rep. Bowen**

This legislation provides that beginning July 1, 2013, a school district may not pay membership dues or fees to any educational association or organization and instead is required to redirect any such funding available to classroom instruction.

**H.3091 EXEMPTIONS TO SOLICITATION OF CHARITABLE FUNDS ACT FOR CERTAIN ATHLETIC, BAND, OR OTHER EXTRACURRICULAR ACTIVITY BOOSTER CLUB OR ORGANIZATION AFFILIATED WITH A K-12 SCHOOL Rep. Henderson**

This legislation provides an exemption to the Solicitation of Charitable Funds Act for certain athletic, band, or other extracurricular activity booster club or organization affiliated with a K-12 school if the organization is a 501(c)(3) tax-exempt entity properly filing all federal and state reporting forms required of these organizations, including Form 990.

**H.3104 STATE BOARD OF EDUCATION TO DEVELOP CURRICULA AND OTHER WRITTEN EDUCATIONAL MATERIALS ABOUT CHILD SEXUAL ABUSE Rep. Stavrinakis**

This legislation requires the State Board of Education to develop curricula and other written materials to educate students, school personnel, and parents and guardians about child sexual abuse. The legislation also requires school districts to maintain a list of school and community resources that provide services for children who may be victims of sexual abuse.

**H.3118 PROHIBITIONS ON TEXTING WHILE DRIVING Rep. Gilliard**

This bill makes it unlawful for a person to operate a motor vehicle in motion while text messaging or receiving text messages, or using any form of electronic reading device. The bill includes criminal penalties for violations.

**H.3119 UNLAWFUL TO TRANSPORT A PERSON WHO IS SEVEN YEARS OLD OR YOUNGER ON A MOTORCYCLE Rep. Daning**

This legislation provides that it is unlawful to transport a person who is seven years old or younger on a motorcycle.

**H.3121 PROHIBITION ON USING AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE Rep. Bowen**

This legislation provides that it is unlawful for a person to use an electronic communication device while driving a motor vehicle under certain circumstances. The legislation provides various penalties for violations. Violations where no great bodily injury or death results are misdemeanors and violations which proximately cause great bodily injury or death to another person are felonies.

**H.3122 PROHIBITION ON SMOKING WHILE CERTAIN CHILDREN ARE IN A MOTOR VEHICLE Rep. Clyburn**

This legislation makes it unlawful for a driver or occupant of a private or public passenger motor vehicle to smoke a tobacco product while a child of preschool age is also an occupant of the motor vehicle. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than \$100 or imprisoned for not more than ten days.

**H.3123 DEPARTMENT OF TRANSPORTATION MUST CONDUCT A NOISE STUDY WHEN IT PLANS TO CONSTRUCT, EXPAND, OR IMPROVE A HIGHWAY** Rep. Crosby

During the Department of Transportation's planning phase of a project to construct a new highway, expand, or make improvements to an existing highway, this legislation provides that it must conduct a noise study to ensure that traffic that travels along this new, expanded, or improved highway shall not impact nearby residences, hotels, motels, schools, churches, and recreational areas at levels that meet or exceed 67 dBA.

**H.3131 SUPERINTENDENT OF EDUCATION FINAL APPELLATE AUTHORITY OVER DECISIONS RENDERED BY THE SOUTH CAROLINA HIGH SCHOOL LEAGUE** Rep. Merrill

This legislation provides that a decision made by the South Carolina High School League that affects a student, team, or program in a public school may be appealed to the Superintendent of Education or his designee. The Superintendent shall serve as the final appellate authority over the decision, and the affected party and the South Carolina High School League shall abide by his final decision.

**H.3132 SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS** Rep. G. M. Smith

In order to foster the development of a coordinated system of higher education, to improve the quality of education, to extend its benefits, and to encourage an economical use of the state's resources, this legislation redefines the South Carolina system of higher education. Among other things, this bill establishes the South Carolina College and University Board of Regents and provides for its membership, powers, duties, and responsibilities. Constituent institutions are defined as all two-year and four-year colleges and universities in this state including technical colleges.

**H.3136 SCHOOL CALENDAR AND MAKE-UP DAYS** Rep. King

This legislation prohibits a school district from designating Martin Luther King, Jr. day as a potential make-up day when the schools are closed due to inclement weather or other disruptions.

**H.3144 REQUIREMENTS FOR PARTICIPATION ON A SCHOOL-SPONSORED ATHLETIC TEAM** Rep. King

In order for a student to participate on a school-sponsored athletic team, this legislation requires the student to undergo a preparticipation physical, during which time an electrocardiogram test and a test to determine if the student has sickle cell anemia or carries the sickle cell anemia trait must be administered. The doctor who administers the tests must clear the student for participation on the team before the student is eligible to participate.

**H.3162 SOUTH CAROLINA HIGH SCHOOL LEAGUE REVIEW PANEL** Rep. Sellers

This legislation creates the South Carolina High School League Review Panel. The legislation provides for the composition of the panel and related matters concerning its rules, the availability of reimbursement for certain expenses, and its right to access reasonable facilities and resources of the Department of Education. A decision of the High School League may be appealed to the panel; the panel must conduct a hearing and render a final decision in a certain manner. No right of review or appeal from the final decision of the panel exists.

**H.3190 *MOPED OPERATORS AND PASSENGERS MUST WEAR SAFETY YELLOW REFLECTIVE VESTS* Rep. Dillard**

This bill requires a person, while operating a moped, and his passengers to wear safety yellow reflective vests.

**H.3191 *MOPEDS* Rep. Cole**

Relating to the definition of the terms "motor vehicle" and "motorcycle", this legislation provides that mopeds are motor vehicles and not motorcycles.

**H.3195 *TEACHER EVALUATION* Rep. Gilliard**

Beginning with school year 2013-2014, this legislation provides that the General Assembly annually shall establish the standards to be used for the evaluation of teachers in the K-12 public schools of this state for the purposes of employment or continued employment and for the determination of or increases in compensation.

## **JUDICIARY**

**H.3002 *PROHIBITION ON CERTAIN LOBBYING ACTIVITIES OF THE GOVERNOR'S OFFICE* Rep. King**

This legislation prohibits the Governor's Office from expending public funds to hire or contract with a person whose activities include lobbying the General Assembly.

**H.3003 *ACCEPTABLE FORMS OF IDENTIFICATION REQUIRED OF A PERSON WHEN HE PRESENTS HIMSELF TO VOTE* Rep. Rutherford**

This legislation adds a college identification card containing a photograph as another form of identification authorized to be accepted when a person presents himself to vote.

**H.3005 *EARLY VOTING PROCEDURES* Rep. Sellers**

This legislation provides that the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. Early voting centers must be established and maintained to ensure that voters may cast only one ballot. A qualified elector may cast his ballot at an early voting center in the county in which he resides. The legislation requires each county board of registration and elections to establish at least one early voting center and to determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees. The early voting period begins 30 days before an election and ends three days prior to the election. The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however, each early voting center must be open no fewer than three Saturdays within the early voting period for statewide primaries and general elections. A sign must be posted prominently in the early voting center and shall have printed on it, 'VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS'."

**H.3006 *PROPOSED CONSTITUTIONAL AMENDMENT ALLOWING TERM LIMITATIONS FOR MEMBERS OF THE GENERAL ASSEMBLY* Rep. Clemmons**

This joint resolution proposes to amend the State Constitution relating to qualifications of members of the Senate and House of Representatives. The legislation provides that beginning with those House members elected at the 2014 general election or who take office after that date, once these persons have thereafter served four full terms in the House of Representatives or have thereafter served at least eight years in the General Assembly in either the House or the Senate, whether or not any of this service has been consecutive, they are not eligible to serve as a member of the House of Representatives. The legislation further provides beginning with those members of the Senate elected at the 2014 general election or who take office after that date, once these persons have thereafter served two full terms in the Senate or have thereafter served at least eight years in the General Assembly in either the House or the Senate, whether or not any of this service has been consecutive, they are not eligible to serve as a member of the Senate. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

**H.3007 TERM LIMITATIONS FOR MEMBERS OF THE GENERAL ASSEMBLY**  
**Rep. Clemmons**

This legislation provides that a person is not eligible for election to the House of Representatives if that person has served four terms in the same body; it further provides that a person is not eligible for election to the Senate if that person has served two terms in the same body. A term served for which the election was held before January 1, 2013, may not be counted as a term served.

**H.3008 TERM LIMITATIONS FOR MEMBERS OF THE GENERAL ASSEMBLY**  
**Rep. Ballentine**

This bill provides that a person is not eligible for election to the House of Representatives if that person has served six terms in the same body. The bill provides that a person is not eligible for election to the Senate if that person has served four terms in the same body. The bill further provides that a term served for which the election was held before January 1, 2013, may not be counted as a term served.

**H.3009 PROPOSED CONSTITUTIONAL AMENDMENT ALLOWING TERM LIMITATIONS FOR MEMBERS OF THE GENERAL ASSEMBLY**  
**Rep. Ballentine**

This joint resolution proposes to amend the State Constitution so as to authorize the General Assembly to enact term limitations for its members by law. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

**H.3010 POLL WATCHERS** Rep. Huggins

This legislation provides that a poll watcher must be a qualified voter in the state. Current law requires the poll watcher to be qualified voter in the county where he is to watch.

**H.3012 COUNTY CITIZEN RELATIONS COMMITTEES** Rep. Clyburn

This legislation establishes a Citizen Relations Committee within each county. The legislation also provides for each committee's composition, and it authorizes the continuation of current committees. These committees may: (1) study, evaluate, and recommend to the governing board of the county plans and programs to eliminate prejudice and discrimination, as well as to promote and safeguard the equal rights of, and respect for all people within the county in the areas of employment, education, and



social and economic justice; (2) promote equality of opportunity for all citizens; (3) promote understanding, respect, and goodwill among all citizens; (4) provide channels of communication among the various racial, religious, and ethnic groups in the county; (5) coordinate efforts with other state and local governmental entities; and (6) submit at least annually a written report to the governing body of the county recommending legislation or other actions to eliminate and prevent unlawful discrimination in employment, housing, public accommodations, education, and finance on the bases of age, gender, ethnicity, creed, marital status, national origin, physical or mental disability, and religion.

**H.3014 "VETERANS TREATMENT COURT PROGRAM ACT" Rep. J. E. Smith**

This legislation requires the creation and administration of a veterans treatment court program in each judicial circuit by the Attorney General. It provides for the appointment, powers, and duties of a veterans treatment court judge, and it provides requirements for an offender to qualify for admission to a veterans treatment court program. The stated purpose is to divert qualifying nonviolent military veteran offenders away from the criminal justice system and into appropriate treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative.

**H.3021 "IRAN DIVESTMENT ACT OF 2013" Rep. Clemmons**

This legislation enacts the "Iran Divestment Act of 2013" to prohibit certain investments and contracts with persons deemed to be engaging in investment activities in Iran.

**H.3022 MUNICIPAL COURT MUST UTILIZE THE SETOFF DEBT COLLECTION ACT ON CERTAIN DEBTS DUE Rep. Herbkersman**

This legislation provides that a municipal court must utilize the Setoff Debt Collection Act on debts due and owing for over a year. If setoff is not successful in the first taxable year, the Department of Revenue (DOR) shall notify the appropriate circuit solicitor to attempt to collect the debt. The legislation provides administrative fees associated with the setoff and requires DOR to keep a digital record of debts submitted for setoff by a municipal court.

**H.3024 REPORTING CHILD ABUSE AND NEGLECT Rep. McCoy**

This legislation requires any person in this state to report suspected child abuse or neglect. The legislation also makes certain conforming changes.

**H.3025 PROHIBITED GAMBLING DEVICES Rep. Henderson**

This legislation specifies that those who are licensed to hold and advertise special events such as bingo, raffles, and other similar activities intended to raise money for charitable purposes do not have the authority to make use of video poker machines, slot machines, or other coin-operated gambling machines and similar statutorily prohibited devices. The legislation also specifies that these prohibited gambling devices are not authorized for use in the sweepstakes and promotional games that beer and wine sales permit holders are allowed to conduct.

**H.3026 RESTRICTIONS ON A SOLICITOR'S WORTHLESS CHECK UNIT Rep. Rutherford**

This legislation prohibits the Worthless Check Unit of a judicial circuit from accepting a case when the unit previously collected full restitution from the drawer of the check, draft, or other written order before prosecution was initiated on more than three

occasions when the amount of full restitution, exclusive of any other fee or charge, exceeds \$1,000.

**H.3035 LIMITED PARDON TO ALLOW A PERSON WHO HAS CONVICTED  
OF A NONVIOLENT FELONY OFFENSE TO CARRY A FIREARM  
USED**

**FOR HUNTING Rep. Rutherford**

This legislation authorizes a limited pardon to be granted to a person who has been convicted of a nonviolent felony offense that would allow him to carry a firearm used for hunting to and from his hunting destination and use it while hunting.

**H.3036 EXPUNGEMENT OF CRIMINAL RECORDS FOR A PERSON  
RECEIVING A PARDON FOR CERTAIN NONVIOLENT OFFENSES  
Rep. Rutherford**

The legislation establishes a mechanism that allows a person who is applying for an order of pardon for certain nonviolent offenses to request that the South Carolina Board of Paroles and Pardons recommend the expungement of records related to the offense. The legislation includes the payment of a nonrefundable recommendation of expungement application fee of \$100, which must be retained by the Department of Probation, Parole and Pardon Services (DPPPS) and used to defray the costs associated with the expungement process. After the expungement, DPPPS and the South Carolina Law Enforcement Division shall keep a nonpublic record of the offense and the order of expungement to ensure that no person takes advantage of this more than once.

**H.3037 DRUG-RELATED OFFENSES EXCLUDED FROM THE DEFINITION  
OF  
THE TERM "NO PAROLE OFFENSE" Rep. Rutherford**

Relating to the definition of the term "no parole offense", this legislation provides that the definition excludes all drug-related offenses.

**H.3039 VIDEO RECORDING OF STATEMENTS MADE DURING A  
CUSTODIAL INTERROGATION Rep. Rutherford**

Under this bill, all statements relating to a crime and statements regarding rights contained in the United States Constitution and the State Constitution or the waiver of these rights made during a custodial interrogation at a place of detention must be video recorded. The bill requires a court to instruct a jury that it may draw an adverse inference for a law enforcement officer who fails to video record a statement relating to a crime. The bill outlines circumstances in which a person's statement may be used for impeachment purposes. The bill includes provisions for when a statement obtained in another state or by the federal government is admissible in this state and when an inaudible portion of a video recording does not render it inadmissible in a judicial proceeding.

**H.3040 RETURN OF PROPERTY SEIZED BY LAW ENFORCEMENT  
Rep. Rutherford**

This legislation provides that any property seized by a law enforcement agency pursuant to or without a warrant must be returned to its lawful owner within 30 days of its seizure unless a court determines that probable cause exists to allow the law enforcement agency to maintain possession of the property.

**H.3041 *DRIVING UNDER THE INFLUENCE* Rep. Rutherford**

Relating to a driver's (of a motor vehicle) implied consent to be tested to determine whether alcohol or drugs are present in his breath, blood, or urine, this legislation provides that a person who is arrested for driving under the influence of alcohol or drugs must be offered the choice of taking a breath or blood test to determine the presence of alcohol or drugs in his system. The legislation further provides that a person who registers an alcohol concentration of five one-hundredths of one percent or less may not be charged with driving a motor vehicle while under the influence of alcohol or drugs.

**H.3042 *BOND FOR PAROLE VIOLATIONS* Rep. Rutherford**

Relating to parole violations, this legislation provides that a magistrate judge of the county, where a prisoner charged with a parole violation is arrested, instead of a circuit court judge shall set bond for the prisoner.

**H.3043 *ESTABLISHMENT OF THE SOUTH CAROLINA DEPARTMENT OF LAW ENFORCEMENT AND PUBLIC SAFETY* Rep. Pitts**

This legislation establishes the South Carolina Department of Law Enforcement and Public Safety as an administrative agency of state government which is comprised of a Division of Public Safety and a State Law Enforcement Division. The director of the Department of Law Enforcement and Public Safety is appointed by the Governor with the advice and consent of the Senate. The functions, powers, duties, responsibilities, and authority statutorily exercised by these offices, sections, departments, or divisions of these state agencies as existing on the effective date of this legislation are transferred to and devolved on the department to include the Department of Public Safety, and the State Law Enforcement Division. All rules, regulations, standards, orders, or other actions of these entities shall remain in effect unless specifically changed or voided by the department in accordance with the Administrative Procedures Act, or otherwise provided.

**H.3044 *FRAUDULENT FIREARMS AND AMMUNITION PURCHASE PREVENTION* Rep. Pitts**

This legislation provides that it is unlawful for a person to knowingly solicit, persuade, encourage or entice a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate state or federal laws. The legislation provides that it is unlawful for a person to knowingly provide to a licensed dealer or private seller of firearms or ammunition materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition. The legislation provides it is unlawful for a person to willfully procure another person to engage in conduct prohibited by this legislation. This legislation does not apply to a law enforcement officer acting in his official capacity or to a person acting at the direction of a law enforcement officer. A person who violates these provisions is guilty of a felony and, upon conviction, must be fined not more than \$5,000, or imprisoned for not more than five years, or both.

**H.3045 *ANIMAL ABUSER REGISTRATION AND COMMUNITY NOTIFICATION* Rep. Long**

This legislation provides for the registration and community notification of animal abusers. An "animal abuser" means a person over eighteen years of age who has been convicted of a felony violation of any provision of this state designed to protect animals from abuse.

**H.3046 "FRIENDSHIP NINE ACT" Rep. King**

This legislation enacts the "Friendship Nine Act". The legislation provides a procedure whereby a person may obtain a pardon for a conviction for conduct related to the protesting or challenging of a state law, or a county or municipal ordinance whose purpose was to maintain racial segregation or racial discrimination of individuals. This applies to convictions obtained prior to January 1, 1980. If the convicted person is deceased, the application and petition for the pardon may be filed by a person who has legal authority to act on behalf of the deceased person. A person who receives a pardon pursuant to these provisions shall have his pardon application fee refunded to him within 30 days of the date the pardon is granted.

**H.3049 COCKFIGHTING Rep. G. M. Smith**

This bill increases penalties for cockfighting. The bill provides that a person who engages in or is present at cockfighting or game fowl fighting or illegal game fowl testing or who possesses birds for the purpose of cockfighting or game fowl fighting is guilty of a: (1) felony and, upon conviction, must be fined not less than \$500 but not more than \$1,000 or imprisoned not less than six months but not more than five years for a first offense; or (2) felony and, upon conviction, must be fined not less than \$1,000 but not more than \$3,000 or imprisoned not less than one year but not more than five years for a second or subsequent offense.

**H.3050 EXPANSION OF NO PAROLE OFFENSES AND "MIDDLE COURT PROCESSES ACT" Rep. G. M. Smith**

This bill expands the definition of the term no parole offense so as to eliminate parole for most offenses. These provisions do not affect the Youthful Offender Act. The legislation also establishes the "Middle Court Processes Act". The stated purpose of a statewide middle court process is to promote the rehabilitation and reentry of certain nonviolent offenders into society and reserve the state's prisons for those dangerous offenders and others for whom prison is the best alternative in the criminal justice system.

**H.3051 BOND Rep. Limehouse**

Relating to bond and the authority of the circuit court to revoke bond under certain circumstances, this legislation includes the commission of a subsequent violent crime by a person released on bond in the purview of the statute. The legislation further adds an additional penalty if a person commits a general sessions court offense while on release on bond.

**H.3052 PENALTIES IMPOSED FOR THE UNLAWFUL CARRYING OF A HANDGUN AND THE UNLAWFUL SALE OR DELIVERY OF A HANDGUN Rep. Limehouse**

Relating to the penalties imposed for the unlawful carrying of a handgun and the unlawful sale or delivery of a handgun, this legislation creates graduated penalties for subsequent offenses.

**H.3053 CARRYING A PISTOL OR FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUORS, BEER, OR WINE FOR ON-PREMISES CONSUMPTION Rep. Taylor**

The legislation replaces the current prohibition on carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for on-premises consumption with new provisions that afford concealed weapons permit holders some legal authority to

carry their firearms into bars, restaurants, and other establishments that serve beer, wine, or alcoholic liquor. The legislation provides that it is unlawful to: (1) carry a firearm into a business which sells alcoholic liquor, beer, or wine for on-premises consumption and refuse to leave or remove the firearm when requested to do so by the business; (2) consume alcohol while carrying a firearm in any such business; or (3) carry a firearm into any such business in violation of the establishment's posted policy of not allowing concealable weapons on the premises. The legislation also reduces penalties for a violation by lowering the term of imprisonment for this misdemeanor offense from three years to two years and eliminating the automatic revocation of violator's concealed weapon permit. Violators are also subject to pertinent penalties for certain trespassing provisions as well as pertinent penalties for violating posted policies disallowing concealable weapons.

**H.3054 "BEHAVIORAL HEALTH SERVICES ACT OF 2013" Rep. G. R. Smith**

The legislation enacts the "Behavioral Health Services Act of 2013". It eliminates the Department of Alcohol and Other Drug Abuse Services and the Department of Mental Health and consolidates their powers and duties within a newly-created Department of Behavioral Health Services, which is charged with developing and implementing a plan for the coordinated care and unified delivery of behavioral health services.

**H.3055 MAGISTRATES COURT Rep. Rutherford**

Notwithstanding a court rule or another provision of law, this legislation provides that a magistrate may not begin a trial or another proceeding, or require an attorney to appear or be present in the court, on Saturday, Sunday, or after five o'clock on a weekday except in the case of an emergency. If a magistrate determines an emergency exists and court must be held: (1) after five o'clock on a weekday, compensation for jurors must be no less than \$100 per day and court personnel must be paid overtime; and (2) on the weekend, compensation for jurors must be no less than \$150 per day and court personnel must be paid overtime. These provisions do not apply to bond hearings.

**H.3056 SCREENING OF CANDIDATES FOR MAGISTRATES COURT BY THE JUDICIAL MERIT SELECTION COMMISSION Rep. Rutherford**

This legislation requires candidates for magistrates court to be screened by the Judicial Merit Selection Commission before they may be appointed by the Governor with the advice and consent of the Senate.

**H.3057 PRETRIAL INTERVENTION PROGRAM Rep. Rutherford**

Current law prohibits an offender from participating more than once in a solicitor's pretrial intervention program. This legislation provides that a solicitor, in his discretion, may consent to allow an offender to participate in a pretrial intervention program more than once.

**H.3058 MAGISTRATE REVIEW OF GAMING DEVICES Rep. Rutherford**

This legislation provides for the certification of lawful machines, boards, and other devices by a magistrate. The legislation provides that the certification must be in writing and allows a magistrate to charge a fee for the certification. The certification must be maintained on the premises of the business establishment at all times.

**H.3059 PROHIBITION ON A LAW ENFORCEMENT OFFICER FROM CONFISCATING OR SEIZING A CELL PHONE, VIDEO RECORDER,**

**OR                    *OTHER ELECTRONIC RECORDING DEVICE AT THE SCENE OF A  
LAW ENFORCEMENT INVESTIGATION OR LAWFUL ARREST*  
Rep. Rutherford**

This legislation provides that it is unlawful for a law enforcement officer to confiscate or seize a cell phone, video recorder, or other electronic recording device at the scene of a law enforcement investigation or lawful arrest unless the use of the device substantially impedes or interferes with the law enforcement investigation or lawful arrest. Violations by law enforcement are misdemeanors. If a device is lawfully seized, the device must be returned to the owner upon payment by the owner of a fee of not more than \$25 within 30 days of the confiscation or seizure of the device. The owner of the device may not be charged a fee for its return if the law enforcement officer confiscated or seized the device in violation of these provisions.

**H.3060 *DRUG LAWS* Rep. Rutherford**

Relating to possession, manufacture, and trafficking in certain controlled substances, this legislation removes mandatory minimum penalties and allow persons who commit certain controlled substance offenses to be paroled and participate in supervised furlough, community service, work release, work credits, education credits, and good conduct credits programs. Also, the legislation creates a study committee to review the state's drug laws. The study committee shall review corresponding drug laws in other states, with particular emphasis on other southern states, in order to determine whether amendments should be proposed to the state's existing drug statutes. The study committee shall make a report to the General Assembly no later than January 31, 2014, at which time the study committee must be dissolved.

**H.3062 *FINANCIAL IDENTITY FRAUD* Rep. Pope**

Relating to financial identity fraud, this legislation revises and broadens the definition of "personal identifying information". It also defines the term "financial resources" as including not only existing money and financial wealth, whether contained in a checking account, a savings account, a line of credit or otherwise, but also includes: (1) a pension plan, retirement fund, annuity, or other fund which makes payments monthly or periodically to the recipient; and (2) the establishment of a line of credit or an amount of debt whether by loan, credit card, or otherwise for the purpose of obtaining goods, services, or money. Additionally, the legislation provides venue for prosecution of an identity fraud offense.

**H.3063 *NONVIOLENT BURGLARY IN THE SECOND DEGREE* Rep. McCoy**

Relating to the list of offenses defined as most serious and serious for purposes of two and three strikes for repeat offenders, this legislation adds nonviolent burglary in the second degree to the list of offenses delineated as a serious offense for purposes of three strikes.

**H.3064 *ESTABLISHMENT OF THE OFFENSE OF ATTEMPTED MURDER OF  
A                    *LAW ENFORCEMENT OFFICER* Rep. McCoy***

This legislation establishes the felony offense of attempted murder of a law enforcement officer. A person who violates this provision must be imprisoned for a mandatory minimum of 15 years but no more than 30 years. No part of the mandatory minimum sentence may be suspended nor may probation be granted.

**H.3066 HATE CRIMES Rep. King**

This legislation provides penalties for a person convicted of certain crimes with the intent to assault, intimidate, or threaten a person because of his race, religion, color, sex, age, national origin, or sexual orientation. This bill provides additional penalties for persons who maliciously injure personal or real property of another person with the intent to assault, intimidate, or threaten that person because of his race, religion, color, sex, age, national origin, or sexual orientation.

**H.3067 "HOME INVASION AND DRIVE-BY SHOOTING ACCOUNTABILITY AND PROTECTION ACT" Rep. Gilliard**

This legislation establishes the offense of home invasion in the first, second and third degrees, and it provides graduated penalties. Violations of these offenses are felonies. The legislation also creates the offense of committing a drive-by shooting and provides a penalty. Violations of this offense are also felonies. The legislation adds home invasion in the first degree and second degree and drive-by shooting to the list of violent crimes. Relating to the punishment for murder, this legislation includes as separate statutory aggravating circumstances which may be considered in the determination of whether the death penalty should be imposed, a murder committed while in the commission of the offenses of home invasion in the first degree and drive-by shooting.

**H.3068 COCKFIGHTING Rep. Long**

This legislation increases the fines and penalties for cockfighting. Under the legislation, a person who engages in cockfighting or game fowl fighting is guilty of a: (1) misdemeanor and, upon conviction, must be fined not less than \$500 but not more than \$1,000 or imprisoned not more than one year for a first offense; or (2) felony and, upon conviction, must be fined not less than \$1,000 but not more than \$3,000 or imprisoned not more than five years for a second or subsequent offense. The legislation creates a new offense of being present at a structure, facility, or location where cockfighting is taking place and provides criminal penalties. A minor who is under the age of eighteen who is present at a cockfighting or game fowl fighting structure, facility, or location may not be charged with a violation of these provisions if he is brought there by a parent, guardian, or other adult with responsibility over him.

**H.3069 ESTABLISHMENT OF THE OFFENSE OF THEFT OF A FIREARM  
Rep. Pitts**

This legislation provides that a person who steals a firearm is guilty of the felony offense of theft of a firearm and, upon conviction, must be fined not more than \$5,000 dollars and imprisoned for a mandatory minimum of seven years nor more than ten years. No part of the mandatory minimum term of imprisonment may be suspended nor probation granted.

**H.3070 "LOLLIS'S LAW"- NOTIFICATION OF CHANGE IN COURT DATE  
Rep. Pitts**

This legislation requires the clerk of court of the municipal court and a magistrate or his designated clerk, respectively, to send a summons or other written notification changing a court date by certified letter to the defendant or the defendant's attorney of record.

**H.3072 TRANSPORTATION/STORAGE OF AMMUNITION OR FIREARMS  
Rep. G. R. Smith**

The stated intent of this legislation is to reinforce and protect the right of each citizen lawfully to transport and store legally possessed ammunition or firearms within his

private motor vehicle for lawful purposes in any place where the motor vehicle is otherwise permitted to be. This legislation prohibits a business entity, property owner, or public or private employer from creating or maintaining a policy which prohibits a person from storing legally possessed ammunition or a firearm in an enclosed compartment or area with the person's privately-owned locked motor vehicle. The legislation provides circumstances for which a person may bring a civil action against a business entity, property owner, or public or private employer.

**H.3073 “BRIANNA’S LAW” - INCREASED PENALTIES FOR HOMICIDE BY CHILD ABUSE Rep. Sandifer**

Relating to the offense of homicide by child abuse, this bill increases the penalty to life without parole or death if the state seeks the death penalty for murder.

**H.3074 UNIFORM TRAFFIC TICKETS Rep. Stavrinakis**

Relating to uniform traffic tickets, this legislation authorizes law enforcement officers and other persons authorized to prosecute those offenses to reissue a uniform traffic ticket for another offense incident to a plea negotiation or agreement.

**H.3075 TIME FRAMES PERTAINING TO BOND FOR PERSON INDICTED BY A STATE GRAND JURY Rep. Rutherford**

This legislation provides that a person indicted by a state grand jury for a bailable offense must have a bond hearing within 24 hours of his arrest and must be released within a reasonable time, not to exceed four hours, after the bond is delivered to the incarcerating facility.

**H.3076 TIME PERIOD FOR A MOTION FOR NEW TRIAL AND APPEALS IN MAGISTRATES COURT Rep. Rutherford**

Relating to the time for a motion for new trial and appeals in magistrates court, this legislation increases the time period in which a motion for a new trial or appeal may be filed and extends the time period further in the interests of justice under certain circumstances.

**H.3077 INCREASED CIVIL JURISDICTION OF MAGISTRATES COURT Rep. Pope**

This legislation increases the civil jurisdiction of the magistrates court from \$7,500 to \$25,000.

**H.3079 CHARITABLE RAFFLES Rep. Merrill**

This legislation provides the terms, conditions, procedures, and requirements under which charitable raffles may be conducted.

**H.3080 ESTABLISHMENT OF CRIMINAL OFFENSE OF IMPEDING THE NORMAL BREATHING OR BLOOD CIRCULATION OF ANOTHER PERSON WITHOUT CONSENT Rep. Crosby**

This legislation provides that it is unlawful for a person to impede the normal breathing or blood circulation of another person without consent by intentionally applying pressure to the other person's throat or neck or obstructing the other person's nose or mouth. The legislation includes penalties and provides exceptions for licensed health care professionals and law enforcement. This legislation provides that a person who violates these provisions is also guilty of the offense of criminal domestic violence of a high and aggravated nature.



**H.3083 STATEMENT OF ECONOMIC INTERESTS Rep. G. M. Smith**

This legislation provides for certain other disclosures which must be made by a filer on his statement of economic interests.

**H.3085 STATE HUMAN AFFAIRS COMMISSION Rep. Spires**

The bill authorizes the State Human Affairs Commission to assess a civil penalty for certain violations. The revenue from this penalty is to be deposited in the general fund and appropriated by the General Assembly as it considers necessary.

**H.3090 PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE STATE SUPREME COURT Rep. Pitts**

This joint resolution proposes to amend the State Constitution relating to the State Supreme Court. Relating to the composition of the Supreme Court, this proposed amendment increases from five to seven the number of justices comprising the Supreme Court on July 31, 2016. Relating to the election of members of the Supreme Court, this proposed amendment configures the terms of the new and existing associate justices of the Supreme Court so that, beginning in 2016, the terms of two associate justices shall expire every two years with all associate justices then being elected to six year terms. The joint resolution shall be submitted to the qualified electors at the next general election.

**H.3094 ADJOURNMENT OF THE GENERAL ASSEMBLY Rep. Long**

The legislation changes the date for adjournment of the General Assembly from the first Thursday in June to the last Thursday in May preceding the National Memorial Day holiday. The legislation further provides in any year that the House of Representatives fails to give third reading to the annual General Appropriation Bill by March fifteenth, the date of adjournment is extended by one statewide day for each statewide day after March fifteenth that the House of Representatives fails to give the bill third reading. The legislation deletes existing authority to extend the session.

**H.3099 CHILD SUPPORT ENFORCEMENT ASSISTANCE TO BE PROVIDED BY CLERKS OF COURT Rep. Nanney**

This legislation provides for child support enforcement assistance to be provided by clerks of court in cases not being administered pursuant to federal law by the Department of Social Services. This legislation allows clerks of court to attempt to locate individuals for the purpose of establishing, modifying, and enforcing child support obligations, and it allows clerks of court access to certain enforcement information.

**H.3100 "SOUTH CAROLINA PUBLIC PROCEEDINGS FIRST AMENDMENT PROTECTION ACT" Rep. Chumley**

This legislation enacts the "South Carolina Public Proceedings First Amendment Protection Act" so as to authorize and direct the Attorney General of the State of South Carolina to defend the rights of any citizen while participating in any action of any board, commission, council, or other instrumentality of the State of South Carolina to free exercise of speech and religion under the First Amendment of the United States Constitution and Section 2, Article I of the State Constitution. The legislation prohibits certain individuals from enforcing or attempting to enforce laws that violate these provisions, and it establishes criminal penalties and civil liability for violations.

**H.3102 "JAIDON'S LAW" - REVISIONS PERTAINING TO THE DEPARTMENT OF SOCIAL SERVICES Rep. Forrester**

This legislation makes revisions pertaining to the Department of Social Services (DSS) and how the agency and the courts handle certain matters related to a child removed from the custody of his parents or guardians. This legislation allows DSS to move before the family court for termination or suspension of visits between the parent or guardian and the child. The family court may order termination or suspension of the visits if ongoing contact between the parent or guardian and the child would be contrary to the best interests of the child. The legislation provides that a court shall order, without possibility of waiver by DSS, that a person's name be entered in the Central Registry of Abuse and Neglect if the court finds that there is a preponderance of evidence that certain abuses occurred or willful or reckless neglect occurred or if a child at birth tested positive for drugs. When the conditions justifying removal include abuse by the parent of controlled substances, this legislation requires the court to include treatment and random drug testing of the parent and certain other adults living in the home as part of the placement plan. This legislation allows DSS to file a petition to terminate parental rights in instances of (1) homicide by child abuse of another child of the parent, (2) a parent has failed three hair-strand drug tests over a period of nine months, with a minimum of three months between the tests, or (3) if a court of competent jurisdiction has found the parent to be in willful contempt on two occasions over a twelve month period for failure to comply with the terms of the treatment plan or placement plan. This legislation provides if the abuse or neglect led to a child being hospitalized for a period greater than fourteen days, there is a rebuttable presumption that the abuse or neglect was severe and repetitive. Among other things, this legislation allows a court to terminate a parent's parental rights if the parent of the child pleads guilty or no contest or is convicted of murder, voluntary manslaughter, or homicide by child abuse of another child of the parent. Relating to termination of parental rights, the legislation also makes it clear that a diagnosable condition unlikely to change within a reasonable period of time includes prescription medication abuse.

**H.3117 "SOUTH CAROLINA CHIEF INFORMATION OFFICER RESTRUCTURING ACT" Rep. Loftis**

The stated intent of this legislation is to create an instrumentality that provides leadership and direction for the use of information technology within government in South Carolina. The legislation creates the Department of the State Chief Information Officer to be headed by the State Chief Information Officer who is appointed by the Governor with the advice and consent of the Senate. The State Chief Information Officer serves at the pleasure of the Governor. Among other things, the legislation provides for the powers, duties, and functions of the department.

**H.3120 SOUTH CAROLINA STATE POLICE Rep. Crosby**

This legislation establishes the South Carolina State Police as an administrative agency of state government which is comprised of a Division of Public Safety and a State Law Enforcement Division. The Governor, with the advice and consent of the Senate, shall appoint the director of the department who shall serve a term of four years.

**H.3124 PROTECTIONS FOR REPORTING CHILD ABUSE OR NEGLECT Rep. Bingham**

This legislation provides that an employer must not dismiss, demote, suspend, or otherwise discipline or discriminate against an employee or prospective employee who is required or permitted to report child abuse or neglect. A person who is adversely affected by conduct that is in violation of these provisions may bring a civil action for

reinstatement and back pay. An action may be commenced against any employer, including the state, a political subdivision of the state and any office, department, independent agency, authority, institution, association, or other body in state government. An action must be commenced within three years after the cause of action arises. If judgment is rendered in favor of the plaintiff in an action, the court also shall award a reasonable attorney's fee in favor of the plaintiff against the defendant.

**H.3128 "SOUTH CAROLINA REGULATORY REFORM ACT" Rep. Bedingfield**

The legislation provides that neither the General Assembly nor a committee of the General Assembly may amend or otherwise change the language of a regulation submitted for General Assembly review, and only the agency that submitted the regulation may make these changes. The legislation revises the legislative review process for proposed regulations by eliminating provisions that allow for an automatic approval and requiring, instead, that a proposed regulation receive an affirmative vote from a majority of members voting in the House of Representatives and Senate in order to become effective.

**H.3133 PRACTICING AS A CONTRACTOR WITHOUT A LICENSE Rep.**

**Spires**

This bill revises penalties for practicing or attempting to practice as a contractor without a license, so as to provide a person who engages in this practice or who under a false pretense uses impermissibly another person's valid contractor's license to practice or attempt to practice as a contractor must pay a fine of twenty-five thousand dollars and is guilty of a felony for which, if convicted, he must serve one year in prison. The legislation revises administrative penalties the Department of Labor, Licensing and Regulation may impose for a violation of the law governing the licensure of contractors, so as to provide no more than two hundred twenty-five thousand dollars in penalties may be assessed against an entity or individual in a day. The legislation provides that an administrative penalty imposed for a first offense may not exceed twenty-five thousand dollars. The legislation revises civil penalties for a person who violates a provision regarding the licensure of contractors, so as to provide the South Carolina Contractors' Licensing Board may impose a penalty of up to twenty-five thousand dollars for a violation.

**H.3134 METHODS OF ENTERING A SATISFACTION OF MORTGAGE IN THE PUBLIC RECORDS Rep. Nanney**

This is a bill revising methods of entering a satisfaction of mortgage in the public records. The legislation provides that the mortgagee of record, the owner or holder of the debt instrument secured by the mortgage, the trustee or beneficiary of a deed of trust, or the legal representative or attorney-in-fact of any of those parties may execute a mortgage satisfaction or deed of trust release. The legislation provides a procedure and form for use in this execution.

**H.3135 REGULATION OF PROFESSIONAL BONDSMEN Rep. King**

This bill provides for the regulation of professional bondsmen by the Department of Labor, Licensing and Regulation.

**H.3137 BAIL BONDSMEN AND RUNNERS Rep. King**

This legislation provides that a bail bondsman or runner may assist another bail bondsman in the apprehension, arrest, and surrender of the defendant even if the

assisting bail bondsman or runner is not employed or appointed by the bail bondsman who is surety for the defendant.

**H.3138 CONTINUING EDUCATIONAL REQUIREMENTS FOR PROFESSIONAL BONDSMEN** Rep. King

This bill revises continuing educational requirements for professional bondsmen by changing the six-hour annual continuing education requirement to a three-hour biennial requirement.

**H.3142 SEX OFFENDERS AND PROCEDURES FOR ADMITTANCE AS A RESIDENT TO A FACILITY** Rep. Rutherford

This legislation provides that a facility considering the admittance of a person as a resident of the facility shall determine whether the person is a registered sex offender by following certain procedures. If the facility determines the person is a registered sex offender, it must provide certain notice to the other residents of the facility or, if applicable, their legal guardians. Failure to comply with either of these requirements constitutes a knowing and willful neglect of the safety of the vulnerable adults residing in the facility.

**H.3145 EXPEDITED EJECTMENT OF A TENANT FOR CAUSING MALICIOUS PROPERTY DAMAGE OR A SIGNIFICANT THREAT TO SAFETY** Rep. Huggins

This bill establishes a procedure for a landlord in a residential rental agreement to apply for the expedited ejectment of a tenant for causing malicious property damage or a significant threat to safety.

**H.3149 DEALERS IN PRECIOUS METALS** Rep. Tallon

This bill revises provisions concerning dealers in precious metals. Under the bill, the requirement that a seller of precious metals provide certain positive identification bearing his photograph may be satisfied by certain identification issued by the state or the United States. The bill modifies the term "purchase" to include means of being pawned to a dealer and increases the mandatory period for which a dealer in precious metals must hold precious metals he purchases before he may sell them from seven days to 30 days. Additionally, the bill increases penalties for the purchase of precious metals by a dealer with a revoked license.

**H.3150 "SOUTH CAROLINA MILITARY SERVICE INTEGRITY AND PRESERVATION ACT OF 2013"** Rep. Goldfinch

This legislation provides that a person who, with the intent of securing a tangible benefit or personal gain, knowingly and falsely represents himself to have served in the Armed Forces of the United States or to have been awarded a decoration, medal, ribbon, or other device authorized by Congress or pursuant to federal law for the Armed Forces of the United States, is guilty of a misdemeanor.

**H.3152 PROHIBITION ON THE USE OF PUBLIC FUNDS FOR LOBBYING** Rep. Merrill

This legislation makes it unlawful for a state agency, instrumentality, or department to expend public funds in order to contract with a lobbyist.

**H.3153 EARLY VOTING PROCEDURES** Rep. Clyburn

This legislation provides that the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. Early voting centers must be established and maintained to ensure that voters may cast only one ballot. A qualified elector may cast his ballot at an early voting center in the county in which he resides. The legislation requires each county board of registration and elections to establish at least one early voting center and to determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees. The early voting period begins 30 days before an election and ends three days prior to the election. The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however, each early voting center must be open no fewer than three Saturdays within the early voting period for statewide primaries and general elections. A sign must be posted prominently in the early voting center and shall have printed on it, 'VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS'."

**H.3156 CANDIDATES FOR MAGISTRATES COURT SCREENED BY THE JUDICIAL MERIT SELECTION COMMISSION** Rep. Tallon

This legislation requires candidates for magistrates court to be screened by the Judicial Merit Selection Commission before they may be appointed by the Governor with the advice and consent of the Senate. This legislation also deletes language allowing magistrates' terms to continue until successors are appointed and qualified.

**H.3159 TESTIMONY BEFORE THE GENERAL ASSEMBLY** Rep. W. J.

**McLeod**

The bill provides that all testimony given to a committee or subcommittee of either house of the General Assembly must be under oath. The legislation further provides that a person testifying must be given the benefit of any privilege which the person may have claimed in court as a party in a civil or criminal action. The felony offense of contempt of the General Assembly is created for those who willfully provide false, materially misleading, or materially incomplete testimony to legislative bodies. Also, the legislation provides circumstances when testimony may be referred for investigation and possible prosecution.

**H.3160 PUBLIC SCHOOL EMPLOYEE WHO HAS A CONCEALED WEAPONS PERMIT MAY POSSESS A FIREARM ON THE PREMISES OF HIS EMPLOYER UNDER CERTAIN CIRCUMSTANCES** Rep. Lowe

Subject to approval by the appropriate local school board, this legislation provides that a public school employee who is authorized to carry a concealed weapon may possess a firearm on the premises of a school campus where he is employed, provided the employee: (1) keeps the firearm on his person at all times while on the premises; (2) keeps the weapon concealed when not in use; (3) uses only frangible bullets in an effort to avoid ricochets; (4) provides written notification of his intent to carry the firearm to the principal of the school where the weapon will be carried; (5) successfully completes and biennially renews certification as a precision marksman by the State Law Enforcement Division (SLED); and (6) has no history of violence or unmanaged anger documented by his employer. The legislation further provides that a school board may only deny an employee of his ability to carry a firearm on school property upon a finding of just cause. An employee who violates a provision of this legislation may not be permitted to carry any firearm on public school property for five years from the date of the violation, and

SLED shall revoke his concealed weapons permit and may not terminate this revocation or issue a new permit to him for a period of five years following the date of revocation.

**H.3163 REVISIONS TO THE FREEDOM OF INFORMATION ACT Rep. Taylor**

This is a bill revising the Freedom of Information Act (FOIA), which establishes an individual's rights to inspect or obtain copies of public records and other government documents. The legislation includes provisions for the electronic transmission and online posting of public records. Documents from meetings during the previous six-month period are included among the records a public body must make available for public inspection and copying. The legislation revises the required timeline for complying with a FOIA request and provides that records must be furnished or made available no later than 30 calendar days from the date of the original request. If, however, the records are more than 24 months old, the public body is allowed up to 45 additional calendar days to comply with the request. The legislation revises the fees that a public body is allowed to charge for complying with FOIA requests by: disallowing copy charges for records that are stored or transmitted in an electronic format; capping fees at the prevailing commercial rate for producing copies; and, prohibiting a public body from charging for staff time associated with gathering or reproducing the records. The legislation allows a deposit of up to 25% of the total cost for reproduction of the records to be required prior to the public body searching for or making copies of records. A citizen of this state may apply to the appropriate magistrate court for specific enforcement of a request if the public body from which the records are requested fails to comply with the time limits.

**H.3165 DISQUALIFICATION FROM UNEMPLOYMENT COMPENSATION FOR FAILING TO PASS A PROSPECTIVE EMPLOYER'S DRUG**

**SCREENING Rep. Tallon**

This bill provides for the disqualification from unemployment compensation for failing to pass a prospective employer's drug screening. The legislation expands the criteria under which an individual is disqualified from receiving unemployment benefits for failure to seek work so that they include situations where an individual tests positive for illicit drugs in a screening required by a prospective employer as a condition of employment, refuses to take the drug test, or provides an adulterated specimen. The legislation disallows the use of blood, hair, or urine specimens collected for these screenings to be used to detect something other than illicit drug use, such as pregnancy or disease, by providing that it is unlawful for any biologic material obtained to be used for any other purpose than the specific testing required by these provisions. Misuse of this biologic material is a misdemeanor punished by a fine of \$10,000 for a first offense and \$50,000 for a second or subsequent offense. An employer complying with legal requirements is not liable for any acts or omissions arising out of disclosure of test results to the Department of Employment and Workforce. Additionally, the legislation removes the word "criminal" from two of the provisions for disallowing jobless benefits for workers fired for cause, thereby lowering the burden of proof from a criminal burden to preponderance of the evidence burden. Also, the legislation revises provisions for disallowing jobless benefits for workers fired for insubordination and willful neglect so that the employee insubordination and willful neglect need not be limited to behavior specifically described in a written job description.

**H.3168 GRANDPARENT VISITATION Rep. W. J. McLeod**

This legislation relates to the jurisdiction of the family court, in particular its authority to order grandparent visitation. This legislation allows the family court to order visitation for

the grandparent of a minor child, if the court finds that (1) the child's parents are unreasonably depriving the grandparent of the opportunity to visit with the child, and (2) awarding grandparent visitation would not interfere with the parent-child relationship, and (3) there are compelling circumstances to overcome the presumption that the parental decision is in the child's best interest.

**H.3169 *FOUNDATIONS FOR DIVORCE* Rep. W. J. McLeod**

This legislation provides that a divorce may be granted on the ground of continuous separation for 150 days, rather than for one year.

**H.3170 *PROPOSED AMENDMENT TO THE STATE CONSTITUTION  
RELATING TO FOUNDATIONS FOR DIVORCE* Rep. W. J. McLeod**

This legislation proposes to amend the State Constitution so as to allow a divorce to be granted on the ground of continuous separation for 150 days, rather than for one year. The proposed amendment must be submitted to the qualified electors at the next election for representatives.

**H.3171 *FILLING VACANCIES IN THE OFFICE OF UNITED STATES  
SENATOR* Rep. Quinn**

In the case of a vacancy in the Office of United States Senator, this legislation provides that a special election must be held.

**H.3172 *FILLING VACANCIES IN CERTAIN OFFICES IN THE EXECUTIVE  
BRANCH* Rep. Quinn**

If a vacancy occurs in the Office of Secretary of State, State Treasurer, Comptroller General, Attorney General, or Adjutant General, this legislation provides that the vacancy must be filled pursuant to a special election. The legislation further provides that the Governor may fill a vacancy in one of these offices by appointment for the period of time intervening between the date of the vacancy and the date the winner of the special election takes office.

**H.3173 *EARLY VOTING PROCEDURES* Rep. Weeks**

This legislation provides that the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. Early voting centers must be established and maintained to ensure that voters may cast only one ballot. A qualified elector may cast his ballot at an early voting center in the county in which he resides. The legislation requires each county board of registration and elections to establish at least one early voting center and to determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees. The early voting period begins eleven days before an election and ends three days prior to the election. The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however, each early voting center must be open no fewer than two Saturdays within the early voting period for statewide primaries and general elections. A sign must be posted prominently in the early voting center and shall have printed on it, 'VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS'."

**H.3174 CERTAIN HISTORIC PROPERTIES MAY BE EXEMPT FROM THE APPLICATION OR ENFORCEMENT OF BUILDING CODES**

**Rep. Whitmire**

This legislation allows the governing body of a county or municipality to exempt certain historic properties from the application or enforcement of building codes upon the recommendation of the local historic preservation commission.

**H.3175 ADDITIONAL MEMBERS OF MUNICIPAL COUNCILS TO REPRESENT NONRESIDENT RESIDENT MUNICIPAL WATER AND SEWER CUSTOMERS**

**Rep. Huggins**

This legislation provides for the election of additional members to municipal councils to represent nonresident residential municipal water and sewer customers when these customers are charged higher rates for these utilities than are residential customers within the municipality's boundaries. The legislation limits the matters on which these special council members are allowed to vote to utility operations. The legislation provides for the number of special members, the nomination and election procedures, and terms. The municipal election commission shall conduct the elections necessary for the implementation of these provisions.

**H.3176 ELECTION LAW REVISIONS**

**Rep. Clemmons**

This legislation makes various election law revisions. Among other things, the revisions include the following: provisions for early voting procedures; provisions for quarterly election dates for conducting referenda or other ballot questions; provisions requiring a ballot to indicate a vote cast for a single candidate, and with the exception of a vote for electors for President and Vice-President, a vote may not be cast for a political party; provisions prohibiting a candidate from being nominated by more than one political party for a single office for the same election; and provisions prohibiting a candidate's name from appearing on the ballot more than once for any single office for the same election.

**H.3177 PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO QUALIFICATIONS OF MEMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES**

**Rep. Crosby**

This joint resolution proposes to amend the State Constitution relating to qualifications of Members of the South Carolina Senate and House of Representatives. The legislation requires a candidate to the General Assembly seeking elective office to be a qualified elector of the district in which he is a candidate for at least 90 consecutive days prior to the first day that candidates may file for that office. The proposed amendment must be submitted to the qualified electors at the next general election for representatives.

**H.3183 COMPUTER CRIME IN THE FIRST DEGREE**

**Rep. Limehouse**

This legislation includes in the purview of the offense of computer crime in the first degree that it is unlawful for a person to directly or indirectly access a computer or computer network without proper authorization for the purpose of obtaining and releasing state or federal classified or confidential information to the public in an electronic format or other form of mass communication. The legislation also provides a penalty.

**H.3184 EXPUNGEMENT OF CRIMINAL RECORDS**

**Rep. Pope**

Relating to expungement of criminal records, this legislation provides that a person may be eligible for expungement of a first offense crime which carries a fine of \$1,000 rather than \$500.



**H.3185 IGNITION INTERLOCK DEVICE REQUIRED FOR CERTAIN PERSONS  
RELEASED ON BOND Rep. Spires**

This legislation provides that the Department of Motor Vehicles shall require a person who has been released on bond for multiple violations of provisions that make it unlawful to operate a vehicle while under the influence of an unlawful substance to have installed on any vehicle he drives an ignition interlock device.

**H.3186 "SAVE OUR CHILDREN GUN LOCK ACT" Rep. Dillard**

This legislation requires a person who keeps a firearm on premises where a reasonable person would know that a child may gain access to the firearm to store the firearm in a locked container or utilize a trigger-locking device on the firearm. Penalties are provided for a violation when death or injury occurs; retail firearms dealers must post notice of this requirement.

**H.3187 JUDICIAL MERIT SELECTION COMMISSION Rep. Howard**

This legislation makes revisions pertaining to the Judicial Merit Selection Commission. The legislation changes the commission's process for nominating judicial candidates from the nomination of three candidates to the release of a list of all qualified and fit candidates to the General Assembly. The legislation deletes the requirement that race, gender, national origin, and other demographic factors be considered by the commission. Further, the legislation defines the term "immediate family member" as an individual who is: (1) a child residing in the person's household; (2) a spouse of the person; or (3) claimed by the person or the person's spouse as a dependent for income tax purposes.

**H.3188 PEREMPTORY CHALLENGES Rep. Pope**

A peremptory challenge is the right to challenge a juror without assigning, or being required to assign, a reason to the challenge. This legislation equalizes the number of peremptory challenges for the defendant and the state in a criminal case.

**H.3189 OFFENSES INVOLVING ASSAULT WEAPONS Rep. Gilliard**

Relating to penalties for violations of certain offenses involving weapons, this bill includes assault weapons in the purview of the statute and increases the penalties for a violation and creates a two-tiered penalty scheme. The bill also defines the term "assault weapon".

**H.3192 UNLAWFUL FOR LAW ENFORCEMENT AGENCY TO USE OR  
EMPLOY AND AUTOMATIC PLATE RECOGNITION SYSTEM  
Rep. Rutherford**

This legislation makes it unlawful for a law enforcement agency to use or employ an automatic number plate recognition system. A law enforcement agency that violates this provision must be fined \$1,000 for each violation. The fine must be placed in the state general fund.

**H.3193 HOUSE ARREST BY A PRISONER MUST BE USED IN COMPUTING  
TIME SERVED Rep. Rutherford**

Relating to the computation of time served by a prisoner, this legislation provides that any time served under house arrest by a prisoner must be used in computing time served.

**H.3196 "SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT" Rep. Funderburk**

This legislation names Chapter 27 of Title 8 of the Code of Laws the "South Carolina Whistleblower and Public Employee Protection Act". Relating to rewards for reports resulting in savings, the legislation eliminates the \$2,000 cap on rewards. Relating to civil actions against an employing public body for retaliation against an employee who reports a violation of state or federal law or regulation, the legislation removes the one-year limitation on the period during which the employee is protected from adverse employment actions and provides for additional remedies.

**H.3197 CREATION OF THE DIVISION OF ELECTIONS WITHIN THE OFFICE OF SECRETARY OF STATE Rep. Clemmons**

This legislation creates the Division of Elections within the Office of Secretary of State. Effective January 1, 2014, all programs, including all allied, advisory, affiliated, or related entities as well as employees, funds, property, and all contractual rights and obligations associated with the Election Commission as provided in Title 7, except those included in or transferred to another department or division, are transferred to and incorporated in and must be administered as part of the Office of the Secretary of State, Division of Elections. All powers, duties, obligations, and responsibilities of the Election Commission are devolved upon the Office of the Secretary of State, Division of Elections.

**H.3198 COUNTY BOARDS OF REGISTRATION AND ELECTIONS  
Rep. J. E. Smith**

This legislation places the directors of the County Boards of Registration and Elections under the general supervision of the State Election Commission. The legislation authorizes the State Election Commission to establish by regulation the minimum qualifications for a person to serve as the director of a County Board of Registration and Elections, and it authorizes the State Election Commission to establish mandatory training certification and continuing education requirements for the directors of the County Boards of Registration and Elections. The legislation requires county Boards of Registration and Elections to meet at least four times each calendar year. The legislation further provides that all counties must have a single Board of Registration and Elections.

**H.3199 CENTRAL WILL REGISTRY WITHIN EACH PROBATE COURT  
Rep. Toole**

This legislation establishes a central will registry within each probate court in the state.

## **LABOR, COMMERCE AND INDUSTRY**

**H.3096 "STATE HEALTH CARE FREEDOM ACT" Rep. Clemmons**

This bill enacts the “State Health Care Freedom Act” by providing that the state shall not elect to establish or operate an American Health Benefit Exchange as provided for in the federal ‘Patient Protection and Affordable Care Act’ of 2010.

**H.3101 “SOUTH CAROLINA FREEDOM OF HEALTH CARE PROTECTION ACT” Rep. Chumley**

This bill enacts the “South Carolina Freedom of Health Care Protection Act” by adding statutory provisions to render null and void certain unconstitutional laws enacted by the Congress of the United States taking control over the health insurance industry and mandating that individuals purchase health insurance under threat of penalty. The legislation prohibits the enforcement or attempted enforcement of such unconstitutional laws and establishes criminal penalties and civil liability for violations.

**H.3127 DISCLOSURE REQUIREMENTS FOR THE SALE OF SECONDHAND BEDDING Rep. Bingham**

This bill provides for certain disclosures with the sale of secondhand bedding identifying filling material. Penalties are established for violations.

**H.3139 ENHANCED INVESTIGATION AND REGULATION OF EMBALMERS AND FUNERAL DIRECTORS Rep. King**

This bill provides for a criminal background check for licensure to practice funeral services, and makes a criminal background check optional to the Department of Labor, Licensing and Regulation when conducting an investigation in connection with a disciplinary proceeding against a person licensed to conduct funeral services. The legislation requires a positive identification of a body before the body may be cremated. The legislation revises penalties for misconduct relating to funeral directors and embalmers by eliminating a criminal penalty and increasing the maximum fine. The legislation alters the examination requirements under the licensure requirements of an applicant for licensure as an embalmer or funeral director who holds a valid license from another state. The legislation revises the certification of an apprentice as an embalmer or funeral director, so as to alter the requirements for employment status and work reporting requirements, to require specific tasks to meet the mandatory case work requirements, and to require the presence of an apprentice by a preceptor on the premises where an apprentice is conducting an embalming or funeral service when he performs those services. The legislation increases the annual requirement of continuing education hours, imposes a maintenance of records of hours completed, and provides that the State Board of Funeral Service may randomly audit these records. The legislation revises permit requirements for funeral homes, so as to provide a crematory must maintain adequate refrigeration for the retention of bodies.

**H.3141 GENERAL ASSEMBLY ELECTION OF WORKERS’ COMPENSATION COMMISSIONERS Rep. Rutherford**

This bill provides that Workers’ Compensation Commissioners must be elected by the General Assembly.

**H.3146 CRIMINAL BACKGROUND CHECKS REQUIRED FOR LICENSURE  
AS A RESIDENTIAL HOME BUILDER Rep. Daning**

This bill provides that a person seeking a residential home builder license must submit to certain criminal background checks and the Department of Labor, Licensing and Regulation shall not issue a residential homebuilder license to a person who has not submitted to these background checks.

**H.3147 WORKERS' COMPENSATION FOR PERSONAL INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS Rep. Pope**

This bill modifies the requirements of an employee seeking workers' compensation for personal injury caused by stress, mental injury, or mental illness, and adds mental illness to related conditions that are not compensable if resulting from an event incidental to normal relations between an employee and employer.

**H.3151 "PHARMACY PATIENT PROTECTION ACT" Rep. Spires**

This bill enacts the "Pharmacy Patient Protection Act", to provide for the licensure and registration of pharmacy benefit managers, provide for the requirements of a certificate of registration, and provide for the conditions under which a prescription benefits manager shall operate. The legislation requires certain financial and utilization information be made available for review and establishes requirements for record keeping. The legislation establishes pricing guidelines that must be used. The legislation provides that a pharmacy benefits manager may not discriminate when contracting with pharmacies on the basis of copayments or days of supply. The director of the Department of Insurance is authorized to make rules and promulgate regulations to implement this legislation.

## **MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

**H.3098 LONG-TERM CARE FACILITIES Rep. Spires**

The bill outlines that a community residential care facility resident or his representative must provide the facility administrator written notice of the resident's or his representative's intent to voluntarily relocate to another community residential care facility. The written notice must be given not less than thirty days before the resident relocate. The facility administrator may charge the equivalent of thirty days occupancy for failure to give this notice.

**H.3103 "PHYSICIAN'S PATIENT RECORDS ACT" Rep. Crosby**

A physician, upon the written request of a patient or a patient's representative, must transmit the patient's medical record to a hospital where the patient has been, or is scheduled to be, hospitalized, and the physician is not, or will not be, the patient's attending physician while the patient is hospitalized. The physician also must transmit with the medical record a summary of the treatment the physician rendered. This summary must be on a form developed and published by the Department of Health and Environmental Control. The physician shall transmit the medical record and summary in a manner so as to maintain confidentiality.

**H.3143 NOTICE OF BEDBUG INFESTATION REQUIREMENT Rep. Gilliard**

The bill outlines that every boardinghouse, hotel, motel, bed and breakfast, residential-type lodging facility, tourist camp, roadhouse, or other similar lodging governed by this chapter where transient guests are lodged in exchange for valuable consideration shall conspicuously post a notice of bedbug infestation in any guestroom

in which there has been a bedbug infestation about which the owner, manager, or other responsible party is aware. The bill requires notice of bedbug infestation to a tenant under the Residential Landlord and Tenant Act, as well as, in a charitable or emergency protective shelter where persons are seeking temporary or permanent residence.

**H.3148 HAIR BRAIDING REQUIREMENTS Rep. R. L. Brown**

The bill adds that a school offering hair braiding coursework, as well as the person teaching hair braiding must be registered with the Board of Cosmetology. The bill outlines additional hair braiding coursework, as well as licensure requirements for a hair braiding teacher.

**H.3161 COMPOUNDING PHARMACIES Rep. Spires**

This bill revises minimum compounding practices in compounding pharmacies. The bill includes that a pharmacist must perform a final check on a product compounded by a pharmacy technician. Among many things, the bill also modifies requirements for the area used for compounding.

## **WAYS AND MEANS**

**H.3004 RETENTION OF OWNER-OCCUPIED RESIDENTIAL PROPERTY TAX ASSESSMENT RATIO FOR MILITARY PERSONNEL REGARDLESS OF**

**RELOCATION OR PROPERTY RENTAL Rep. Pitts**

This bill provides that an active duty member of the Armed Forces of the United States who receives the special assessment ratio for owner-occupied residential property retains this four percent assessment ratio as long as the owner remains on active duty, regardless of the owner's subsequent relocation or change of duty station and regardless of any rental income attributable to the property. These retention provisions also include the spouse of the service member who jointly owns the qualifying property, but do not apply if the owner or a member of the owner's household claims the special four percent assessment ratio for any other residential property located in this State.

**H.3015 ISRAELI INVESTMENTS AUTHORIZED FOR LOCAL GOVERNMENTS  
Rep. Clemmons**

This bill authorizes political subdivisions to invest in obligations of an Israeli corporation, the State of Israel, or a political subdivision of the State of Israel, so long as the obligation is denominated in United States dollars and bear an investment grade rating of at least two nationally recognized rating services.

**H.3017 APPROPRIATION OF PROJECTED REVENUE INCREASES FOLLOWING PASSAGE OF THE BUDGET BILL BY THE HOUSE OF REPRESENTATIVES Rep. Ballentine**

This bill provides that, beginning with the annual general appropriations act for Fiscal Year 2014-2015, if the Board of Economic Advisors adjusts its forecast for the next fiscal year after the House of Representatives gives third reading to the annual general appropriations act, any increase in projected revenue only may be appropriated to the State Non-Federal Aid Highway Fund.

**H.3018 TAX PROVISION CLEAN-UP BILL Rep. White**

This bill updates and conforms language and makes technical corrections to numerous tax code provisions relating to assessors, auditors, treasurers, and tax collectors.

**H.3019 RESIDENTIAL PROPERTY TAX EXEMPTION FOR THE CAREGIVER OF A DISABLED CHILD Rep. G. M. Smith**

This bill expands residential property tax exemptions, so as to exempt the first fifty thousand dollars of the value of a dwelling house and a lot not to exceed one acre of land of a resident who cares for a disabled child in the dwelling house and is unable to be employed outside of the dwelling house due to the needs of the disabled child.

**H.3020 "TAXPAYER FAIRNESS ACT" Rep. Merrill**

This bill enacts the "Taxpayer Fairness Act" to provide the manner in which the South Carolina Department of Revenue must interpret tax statutes of this state. The legislation provides that terms in the tax statutes of this state may not be given broader meaning than intended by policy documents and regulations of the Department of Revenue. Ambiguity in tax statutes must be resolved in favor of the taxpayer. The legislation includes requirements for the Department of Revenue to report ambiguities to the General Assembly.

**H.3023 HURRICANE PREPAREDNESS WEEKEND Rep. McCoy**

This bill establishes the final weekend in May as "Hurricane Preparedness Weekend" during which time portable generators, flashlights, certain batteries, weather band radios, tarpaulins, storm shutters, and certain other hurricane preparedness items are exempt from the state sales tax.

**H.3027 EXPANSION OF OWNER-OCCUPIED RESIDENTIAL PROPERTY TAX ASSESSMENT RATIO ELIGIBILITY FOR MILITARY PERSONNEL Rep. G. M. Smith**

This bill provides that an active duty member of the Armed Forces of the United States who receives the special assessment ratio for owner-occupied residential property retains this four percent assessment ratio as long as the owner remains on active duty, regardless of the owner's subsequent relocation or change of duty station and regardless of any rental income attributable to the property. The legislation also provides that an eligible active duty member of the U.S. Armed Forces who receives orders for a permanent change of station or a temporary duty assignment for at least one year, may claim the four percent assessment ratio and applicable exemptions for two residential properties located in the State for up to two years so long as the owner is attempting to sell the first acquired residence. These provisions also include the spouse of the service member who jointly owns the qualifying property.

**H.3028 IDENTITY THEFT PROTECTION FUND Rep. Merrill**

This bill creates the Identity Theft Protection Fund to provide identity theft protection for taxpayers affected by the 2012 computer data breach at the South Carolina Department of Revenue. The legislation provides that the General Assembly shall appropriate necessary amounts to the fund for the next five fiscal years in the annual general appropriations act.

**H.3029 INDIVIDUAL INCOME TAX DEDUCTION FOR IDENTITY THEFT PROTECTION COSTS Rep. King**

This bill establishes an individual income tax deduction to cover actual costs, up to two hundred dollars, for the purchase of identity theft protection by a taxpayer affected by the 2012 computer data breach at the South Carolina Department of Revenue .

**H.3030 INCOME TAX CREDIT FOR SELLING MOTOR FUEL IN THE CASE OF AN ELECTRICAL OUTAGE Rep. Rutherford**

This bill provides for an income tax credit to a taxpayer in the business of selling motor fuel for the purchase and installation of a generator so as to enable the taxpayer to sell motor fuel in the case of an electrical outage. The legislation establishes the manner in which the credit may be claimed, and provides for a refund in case of certain events.

**H.3031 TAX CREDIT FOR LOSSES RESULTING FROM IDENTITY THEFT Rep. Cobb-Hunter**

This bill provides a refundable tax credit for a taxpayer affected by the 2012 computer data breach at the South Carolina Department of Revenue to cover actual losses sustained as a result of identity theft.

**H.3078 K-12 SCHOOL CONSTRUCTION EXEMPTED FROM DEVELOPMENT IMPACT FEES Rep. Merrill**

This bill revises exemptions from impact fees authorized to be levied under the South Carolina Development Impact Fee Act, so as to exempt from the impact fee construction of an elementary, middle, or secondary school facility, or replacing, renovating, or repairing an elementary, middle, or secondary school facility, designed and used primarily for the instruction of students. The legislation specifies that these provisions are retroactive to July 1, 2008.

**H.3081 COUNTY AND MUNICIPAL BUSINESS LICENSE TAXES Rep. Merrill**

This bill revises provisions designating the powers to county governments and municipal governments by requiring that the imposition of a business license tax by a local government on a business must be based on the size of the business in terms of the number of its employees and not on its gross income. The legislation requires county and municipal governing bodies to establish clear and concise policies for the administrative enforcement of their business license taxes that are consistent with the requirements of this legislation and other applicable provisions of law.

**H.3089 INCOME TAX DEDUCTION FOR VOLUNTEER STATE CONSTABLES Rep. Pope**

This bill provides for a maximum three thousand dollar a year individual income tax deduction for volunteer state constables designated by the State Law Enforcement Division as state constables.

**H.3092 ESTIMATION OF TAX LIABILITY FOR THOSE WHO FILE FRIVOLOUS RETURNS OR FAIL TO MAKE REQUIRED FILINGS Rep. Huggins**

This bill revises provisions relating to the failure of a taxpayer to make required reports or filings or the filing of a frivolous tax return, by further providing what the Department of Revenue must consider as the best information available when making an estimate of tax liability.

**H.3093 "SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION**

**ACT” Rep. J. E. Smith**

This bill enacts the “South Carolina Abandoned Buildings Revitalization Act”, to provide that a taxpayer making investments of a certain size in rehabilitating an abandoned building based on the population of the political subdivision in which the building is located may at the taxpayer’s option receive specified income tax credits or credits against the property tax liability.

**H.3095 “BILL WYLIE ENTREPRENEURSHIP ACT OF 2013” Rep. Daning**

This bill enacts the “Bill Wylie Entrepreneurship Act of 2013” by providing for state nonrefundable income tax credits allocated by the Department of Commerce to encourage individuals acting as "angel investors" who support the state's economic development goals by providing early stage capital for emerging high-growth enterprises that are primarily engaged in such activities as manufacturing, processing, warehousing, wholesaling, software development, information technology services, and research and development.

**H.3105 APPROVAL PROCESS FOR FINANCING AGREEMENTS FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, OR REPAIR OF A GOVERNMENTAL ASSET Rep. Delleney**

This bill revises requirements that certain financing agreements entered into by a governmental entity to acquire an asset are subject to referendum approval if the principal balance of the financing agreement when added to the governmental entity’s existing limited bonded indebtedness exceeds eight percent of the assessed value of taxable property in the governmental entity, by extending the definition of “financing agreement” to include the acquisition, construction, renovation, or repair of any asset of the governmental entity. An exception is provided for certain refinancing agreements.

**H.3106 INCREASE IN THE HOMESTEAD PROPERTY TAX EXEMPTION ALLOWED FOR THOSE WHO ARE OVER THE AGE OF SIXTY-FIVE, DISABLED, OR LEGALLY BLIND Rep. Crosby**

This bill increases the amount of the homestead property tax exemption allowed for those who over the age of sixty-five years, disabled, or legally blind from the first fifty thousand dollars to the first seventy-five thousand dollars of the fair market value of the homestead.

**H.3107 PHASE-IN OF A STATE INDIVIDUAL INCOME TAX CREDIT EQUAL TO TWENTY PERCENT OF THE FEDERAL EARNED INCOME TAX CREDIT Rep. Cobb-Hunter**

This bill allows a refundable state individual income tax credit equal to ten percent of the federal earned income tax credit and increases the amount of the credit annually in increments of two and one-half percent until the state credit equals twenty percent of the federal EITC.

**H.3108 COMPENSATION OF LEGISLATORS Rep. King**

This bill provides that, beginning with the General Assembly scheduled to convene January 9, 2015, members of the General Assembly must receive total annual compensation for their legislative service for a regular session in an amount equal to fifty thousand dollars. This compensation consists of per diem and salary. The salary portion of compensation the member receives must be reduced by per diem received by the member for attendance at an extra session. The legislation provides that expenses or other per diem reimbursed or otherwise paid to members are in addition to



compensation. The General Assembly is required to appropriate the salary portion of compensation in the annual general appropriations act. The legislation also revises definitions provisions of the retirement system for members of the General Assembly (GARS), to provide that "earnable compensation" used in the calculation of retirement benefits under GARS does not include salary.

**H.3109 ZERO-BASE BUDGET REVIEW OF STATE AGENCIES Rep. Crosby**

This bill provides for a zero-base budget review on a ten year schedule of each state agency, beginning with appropriations for Fiscal Year 2014-2015.

**H.3110 "SOUTH CAROLINA GIVING BACK TO OUR VETERANS ACT"**

**Rep. Clemmons**

This bill enacts the "South Carolina Giving Back to Our Veterans Act" to allow retirement benefits attributable to active duty service in the United States Armed Forces to be deducted from South Carolina's individual income tax. The legislation phases in this deduction over the course of four years.

**H.3111 TAXATION OF NEW ELECTRICAL POWER GENERATION FACILITIES**

**Rep. Clyburn**

This bill provides for the exemption of a portion of the fair market value of all real property associated with a facility for the generation of electric power placed into service after the effective date of this legislation. The legislation subjects the remaining portion to a state property tax and provides for its distribution among the political subdivisions of this state. The legislation provides for an aggregate annual cap on distribution to a county and school districts and municipalities therein of twenty million dollars with amounts over the aggregate county cap to be distributed to the county and school districts and municipalities therein in which the facility is located.

**H.3112 DEDUCTION OF MILITARY RETIREMENT BENEFITS FROM STATE INDIVIDUAL INCOME TAXES Rep. G. M. Smith**

This bill allows retirement benefits attributable to active duty service in the United States Armed Forces to be deducted from South Carolina's individual income tax.

**H.3113 FULL RESIDENTIAL PROPERTY TAX EXEMPTION FOR HOMEOWNERS WHO ARE AT LEAST SIXTY-FIVE YEARS OLD**

**Rep. Spires**

This bill allows an exemption from all property tax equal to one hundred percent of the taxable value of an owner-occupied residence if the owner has attained the age of sixty-five years.

**H.3114 ELIMINATION OF THE SALES TAX EXEMPTION FOR GROCERIES**

**Rep. Spires**

This bill eliminates the sales tax exemption allowed for unprepared food items that may be purchased lawfully with United States Department of Agriculture food coupons.

**H.3115 STATE AID TO SUBDIVISIONS Rep. Merrill**

This bill revises the State Aid to Subdivisions Act to provide that, beginning with Fiscal Year 2014-2015, the amount required to be appropriated to the Local Government Fund is the amount appropriated for fiscal year 2013-2014, increased annually and cumulatively by the increase in the consumer price index and to provide that the

difference between the amount required to be appropriated annually to the Local Government Fund and four and one-half percent of state general fund revenues in the latest state fiscal year must be credited to the State Highway Fund.

**H.3116 “SOUTH CAROLINA FAIR TAX ACT” Rep. Taylor**

This bill replaces the state's taxation provisions with a comprehensive “South Carolina Fair Tax Act” that taxes all non federal government consumption of goods and services in this state without exception, but only once, with the aims of preventing double, multiple, or cascading taxation and establishing a simplified tax law with reduced costs for administration and compliance.

**H.3125 “MICROENTERPRISE DEVELOPMENT ACT” Rep. Hodges**

This bill enacts the “Microenterprise Development Act” to provide that the Department of Commerce shall establish the Microenterprise Partnership Program to promote and facilitate the development of microenterprises, which are businesses, whether new or existing, including startup, home-based, and self employment, with five or fewer employees. The legislation establishes a procedure for the Department to award grants to community organizations to make loans and develop loan sources. The legislation provides that appropriated funds may be awarded as a grant to microloan delivery organizations and that such grants must be matched by nonstate funds. The legislation establishes the purpose for which grant funds may be expended and specifies certain provisions that must be in a contract between the Department and a statewide microlending support organization. An annual report must be submitted to the Governor and the General Assembly.

**H.3126 DEPARTMENT OF CORRECTIONS REQUIREMENTS FOR IMPROVING**

**HEALTH CARE CLAIM ACCURACY Rep. Sellers**

This bill requires the Department of Corrections to implement automated payment, detection, and recovery procedures to ensure that Medicaid is billed for eligible correctional inpatient hospital and health care professional services. The legislation requires the department to implement certain technology to improve health care claim accuracy, to prevent and identify errors in overbilling, and to recover valid claim overpayments. The department is required to contract for these services. Savings generated must be used, to the extent possible, to secure the technology services used in carrying out the requirements of this legislation.

**H.3129 COMMITMENT TO PAY OUT-OF-STATE TUITION RATES AT PUBLIC INSTITUTIONS OF HIGHER LEARNING Rep. Merrill**

This bill provides that a student who is not domiciled in South Carolina and who has not been granted an out-of-state tuition rate waiver shall commit to paying the out-of-state tuition rate for four years before he may be accepted to a public institution of higher learning.

**H.3130 APPROPRIATIONS MADE TO PUBLIC INSTITUTIONS OF HIGHER LEARNING FROM THE LOTTERY EXPENDITURE ACCOUNT  
Rep. Merrill**

This bill provides that appropriations made to a public institution of higher learning of this State from the lottery expenditure account must be reflected in the budget of the institution as total funds. The lottery expenditure account must reflect only appropriations made to private institutions of higher learning in the general appropriations act.

**H.3140 MAGISTRATES' SALARIES Rep. Rutherford**

This bill provides that a magistrate who is a licensed attorney in good standing with the South Carolina Bar must be paid a base salary equal to fifty-five percent of a circuit court judge's salary for the state's immediately previous fiscal year, regardless of the population category of the county he serves or the length of his tenure as a magistrate.

**H.3154 BUDGET AND CONTROL BOARD PROHIBITED FROM MAKING  
UNAUTHORIZED USE OF INSURANCE RESERVE FUND Rep. Sellers**

This bill provides that the State Budget and Control Board may not borrow, transfer, pledge, or otherwise encumber the funds of the state employee Insurance Reserve Fund for any purpose not specifically authorized by law for the use of those funds.

**H.3155 SALES TAX EXEMPTION FOR MACHINERY, REPLACEMENT  
PARTS,  
AND ATTACHMENTS USED IN COMMERCIAL LIVESTOCK  
BREEDING**

**Rep. D. C. Moss**

This bill expands the sales tax exemption allowed for farm machinery, replacement parts, and attachments so that it also includes machinery, replacement parts, and attachments used in the commercial breeding and raising of cattle, horses, and other livestock for sale.

**H.3157 USE OF CAPITAL RESERVE FUNDS FOR A ONE TIME SMALL  
BUSINESS STATE INCOME TAX REDUCTION Rep. Sellers**

This joint resolution provides that the revenues of the Capital Reserve Fund for Fiscal Year 2012-2013 not appropriated for infrastructure needs must be appropriated to offset general fund revenues not collected attributable to a one time small business state income tax reduction for taxable year 2013 which must be enacted by the General Assembly in its 2013 regular session.

**H.3158 INSTALLMENT PAYMENT OPTION REQUIRED FOR REAL  
PROPERTY  
TAX PAYMENTS TO COUNTIES Rep. Howard**

This bill revises provisions that currently afford counties the option of allowing a taxpayer to make payment of property taxes on real property by installments, by requiring counties, after 2013, to allow a taxpayer this option of making installment payments. The legislation requires that real property tax notices explain the installment option and include an application.

**H.3164 DEPARTMENT OF CORRECTIONS REQUIREMENTS FOR  
IMPROVING  
HEALTH CARE CLAIM ACCURACY Rep. Jefferson**

This bill requires the Department of Corrections to implement technology to further automate claims resolution and enhance cost containment through improved claim accuracy and code correction to ensure that Medicaid is billed for eligible correctional inpatient hospital and health care professional services rendered to inmates at the department. The legislation requires the department to contract for necessary services and provides that savings generated must be used, to the extent possible, to secure the technology services used in carrying out the requirements of the legislation.

**H.3166 MEDICAID ELIGIBILITY AS PROVIDED BY THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT Rep. Sellers**

This bill provides that, beginning January 1, 2014, an adult sixty-five years of age or younger whose income is at or below one hundred thirty-eight percent of the federal poverty level is eligible for Medicaid as provided for in the federal Patient Protection and Affordable Care Act and its amendments.

**H.3167 SOUTH CAROLINA'S PARTICIPATION IN MEDICAID EXPANSION UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT DECLARED TO BE NECESSARY Rep. Sellers**

This concurrent resolution declares that participation by the state of South Carolina in Medicaid expansion as provided by the federal Patient Protection and Affordable Care Act to be necessary to the state's economic growth and welfare and to the health, wellbeing, and livelihood of hundreds of thousands of South Carolinians.

**H.3179 TAX PROVISION CLEAN-UP BILL Rep. White**

This bill updates and conforms language and makes technical corrections to numerous tax code provisions relating to assessors, auditors, treasurers, and tax collectors.

**H.3180 OWNERSHIP OF THE CLOVER NATIONAL GUARD ARMORY  
TRANSFERRED TO THE TOWN OF CLOVER Rep. Pope**

This joint resolution directs the State Budget and Control Board to transfer ownership of the Clover National Guard Armory to the Town of Clover.

**H.3181 ELIMINATION OF SECOND AMENDMENT SALES TAX HOLIDAY  
WEEKEND Rep. R. L. Brown**

This bill eliminates the statutory provisions for the Second Amendment Weekend which provide for a sales tax exemption on handguns, rifles, and shotguns during a forty-eight hour period that follows Thanksgiving Day.

**H.3182 TAX CREDIT FOR FULL-TIME EMPLOYMENT OF A FORMERLY  
INCARCERATED INDIVIDUAL Rep. Dillard**

This bill establishes a tax credit, not to exceed ten thousand dollars, for any taxpayer that employs a formerly incarcerated individual as a full-time employee. The legislation specifies the taxes for which the credit may be applied, allows the credit for the twenty-four consecutive months for each eligible employee, and establishes eligibility requirements.

**H.3194 REVISED PROCEDURES FOR RECOGNIZING AND APPROVING A  
STATE AGENCY'S DEFICIT Rep. Sellers**

This bill revises the procedures for recognizing and approving a state agency's deficit by providing that the Budget and Control Board may only recognize and approve a particular agency's deficit in an amount not exceeding two percent of the agency's total funds expenditure authorization as reflected in the annual general appropriations act. The legislation establishes an additional procedure by which the General Assembly may recognize and approve an agency's deficit above this limit.

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